

# BRACEWELL

**MEMO ENDORSED**

March 9, 2022

**BY ECF**

Hon. Valerie E. Caproni  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 240  
New York, NY 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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Re: *Molo Design Ltd. v. Chanel, Inc.*, No. 1:21-cv-01578-VEC

Dear Judge Caproni:

We represent Plaintiff Molo Design Ltd. (“Molo”) in the above-referenced matter. For the reasons described below we are constrained to seek the Court’s permission to file under seal certain exhibits submitted in support of Molo’s letter motion to compel Chanel, Inc. (“Chanel”) to collect and produce documents from its parent company, as well as to redact limited portions of the letter motion that refer to the exhibits.

Defendant designated the entirety of its document production to Molo as “Confidential.” Under the terms of the parties’ Stipulated Protective Order, signed by the Court on May 25, 2021 [Dkt. No. 31], Molo is therefore required, when submitting such information to the Court, to “file or designate the Protected Material under seal in accordance with the Court’s rules governing requests to redact or file under seal . . . .” Protective Order at 8-9. Accordingly, consistent with Rule 5.B.iii of the Court’s Individual Practices in Civil Cases, we have filed Exhibit 3 to the underlying motion, consisting solely of documents produced by Chanel, under seal. Out of an abundance of caution we have also filed under seal a version of the letter motion showing proposed redactions to content that describes the exhibits. A public version of the letter with redactions has also been filed.

Molo does not believe these materials should be sealed from the public. However, Chanel has designated these materials “Confidential” and, therefore, Molo is filing these documents under seal in compliance with the Protective Order entered in this case. Prior to filing this application and the underlying motion to compel, we contacted defendant’s counsel to ask if they would agree to filing the exhibits without any protections. Defendant’s counsel has informed us that they have

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not yet had an opportunity to discuss with their clients Defendant's position regarding the filing of confidential materials.

We appreciate the Court's consideration of this issue.

Respectfully submitted,

Conor M. Civins

cc: Counsel for defendant (by ECF).

Application GRANTED. Plaintiff is permitted to file under seal the identified exhibits in support of its motion to compel, and to redact parts of its motion that refer to those exhibits.

Defendant is ordered, no later than **March 14, 2022**, to show cause in writing why a fully unsealed copy of Plaintiff's motion should not be substituted for the redacted version.

SO ORDERED.



3/10/2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE